

**Ford River Township Planning Commission  
Regular Meeting Minutes  
June 4, 2020**

Meeting was called to Order at 7:00 pm by R. Livingston and the Pledge of Allegiance was recited.

Present: P. Dagenais, K. Jaeger, R. Livingston, D. Wellman, K. Mineau.

**Public Comment on Agenda Items**

- Ray Fettig stated he would like to comment when we get to short term rentals.
- Supervisor Fontaine commented that additional emails were sent in regarding short term rentals that were not listed on the agenda.

**Conflict of Interest Declaration** - None

**Public Hearing** - None

**Minutes**

- Planning Commission meeting minutes from March 2020 were approved with a motion by D. Wellman, seconded by P. Dagenais. Unanimous approval.

**Permits**

March

- Z1085 - Dennis Dubord, RR, 3081 13th Lane, 3/11/2020  
009-151-024-10, 52'x48' Pole Building w/open lean-to

April

- Z1084 - Lisa Pieczynski, R2, 2752 Highway M-35, 4/11/2020  
009-301-012-00, 24' x14' Shed

May

- Z-1086 - Brian Werner, RR, 4048 10th Road, 5/7/2020  
009-067-026-10, 12.5'x14' shed, 8' High cedar slab fence, 300' length
- Z-1087 - Clarence DeGrand Trust, R2, 1610 M-35, 5/12/2020  
009-113-001-00, Land Division
- Z-1088 - Shawn Wallin, R2, 3988 M-35, 5/9/2020  
009-063-004-00, 26'x32' attached garage, update existing deck to 10'x28, add fence. 4' high vinyl fence in front of property, 8' high cedar fence side property lines.
- Z-1089 - Bill Nelson, RR, E4250 Hwy M-35, 5/12/2020  
009-303-009-00, 28'x40' Detached Garage
- Z-1090 - Keith Beauchamp, R2, 4414 12th Road, 5/12/2020  
009-054-021-00, 30'x40' Detached Garage
- Z-1091 - Alex Pajnich, RR, 4695 I Road, 5/21/2020  
009-151-036-00, 24'x22 Attached Garage, 8'x10' mud room
- Z-1092 - Chris Gill, RR, Needs Address, 5/26/2020

009-060-002-10, 28'x40 home, 1 story w/ loft

- Z-1093 - Robert Chisholm, R2, 410 State Hwy M-35, 5/28/2020  
009-134-008-30, 32'x32' Pole Building
- Z-1094 - Tyson Tufnell, RR, 3217 I Road, 5/29/2020  
009-236-001-00, 36'x54' Pole Building
- Z-1095 - Ryan Wender, RR, 3782 J.5 Road, 5/29/2020  
009-067-024-00, 30'x66' Pole Building
- Z-1096 - Louise Reichert, R2, 3876 L.15 Lane, 5/29/2020  
09-065-083-00, 6' High Woven Wood Fence, 3 sections: (1)-16'length, (1) 24'  
length & (1) 6' length

### **Unfinished Business**

- **Short Term Rentals**

Email: Mark Coyne (3/10/2020)

Letter: Kymberlee Bateni (4/2/2020)

Email: John Klapko - Fishery Pointe Beach Cottages (3/16/2020)

Email: Pamela Heffner Caron (6/1/2020)

Email: Peggy O'Connell (6/4/2020)

As requested, the letters from Kymberlee Bateni, and Peggy O'Connell were read aloud by K. Jaeger.

R. Livingston stated that he has been doing a lot of reading on short term rentals and from what he has read, they are not allowed everywhere, it's in areas that are allowed for business.

K. Jaeger stated that because it is not in our ordinance, it is not allowed in the township. It is not the planning commission stopping them from doing this, it is something that is not allowed. She also stated that there has not been a formal complaint brought to the commission, however, now that it has been brought to our attention, we do need to do something about it. She feels as though there is a place for them in the township, but we do need to be careful to not go against our own ordinance. Right now, we do not allow hotels and resorts in R1, however, we do allow them in R2 and other districts by special use permit.

R. Livingston stated that if you are going to start a business, you need to do some research and see what laws you need to be covered for, or what permits you may need. It's no different than building a house, you need to go to the township to get a permit.

Ray Fettig stated he had a copy of minutes from a planning commission workshop dated August 2007, it states the topic of short term rental was discussed, the concern is that property in an R1 district could be rented by the week creating a defacto resort. It was decided that any property rented for a period shorter than one month would need to have a resort designation. It was decided to modify the single family designation to include rental of no less than 30 days. Commission questioned the need for additional definitions, it was determined that the addition of rental would indicate greater than 30 days and resort would indicate less than 30 day rental periods. Ray feels that resort would cover short term rentals and be allowed in some district.

Supervisor Fountaine has requested a copy of those notes from Mr. Fettig, she does feel as though that may answer some of the unknown questions, and actually allow short term rentals in some districts. She also wanted to make sure it was clear that

Fishery Pointe, Brotherton Cottages and Sandy Shores all existed before 2008, when the ordinance was put in place, so they would be grandfathered.

Ray Fettig stated there is some proposed legislation under house bill 4554 for Michigan short term rentals. He also wanted to make us aware of a court case regarding short term rentals, the board has a copy of this case. He also stated that along the lake we may want to consider health issues with septic systems and the high water table. R. Livingston agreed that all needs to be looked at.

The board would like to see the information from the 2007 notes as well as checking with the Township Attorney.

Dennis Jahnke stated that as K Jaeger said the residents feel as though we are taking it away from them, however, technically it is not allowed. He said, as a resident I don't know that, he feels as though most people are doing it innocently, and the board should be proactive in letting people know it is not allowed.

Betsy Dagenais asked if there was any concern about the number of houses for sale in Ford River, people looking to buy in hopes of having an AirBnB. She feels it would put a timeframe on it to help speed it along.

R. Livingston stated that he's noticed that realtors are actually using it as a way to sell property, but prior to buying the home they should check with the township.

Tabled until next month.

### **New Business**

- I Road, Road Sign - A discussion came from the County Building and Zoning, some of the residents are having a problem with getting mail, as they have an I road address, but the mail boxes are down 12th road. We have been asked to get a sign put up and that it should be 12th Lane, but, its known as 12th road, the fire department knows it as 12th road. The concern is if the area develops there are not enough numbers to give them I road addresses, so they would like people to change their address, but the people do not voluntary want to do so. The commission does not feel as though there is anything we can do at this time, but Supervisor Fontaine wanted to make us aware.

### **Communications**

- Emails, letters listed above under short term rentals

### **Public Comment on Non-Agenda Items**

Ray Fettig commented that the audio through the call in number was not very good.

A motion to adjourn was made by K. Jaeger, seconded by P. Dagenais. Unanimous approval. Meeting was adjourned at 7:44 pm.

*Kurt Jaeger*

7-2-2020